

**PLANNING DEPARTMENT TRANSMITTAL  
TO THE CITY CLERK'S OFFICE**

<b>CITY PLANNING CASE:</b>	<b>ENVIRONMENTAL DOCUMENT:</b>	<b>COUNCIL DISTRICT:</b>
VTT-73056-SL-1A	ENV-2014-4125-CE	13 – O'Farrell
<b>PROJECT ADDRESS:</b>		
4321 and 4323 West Burns Avenue		
<b>APPLICANT</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Chris Schwanitz Stradella Court, LLC 10153 Riverside Drive, Suite 1000 Toluca Lake, CA 91602 <input type="checkbox"/> New/Changed	(310) 401-0115	<a href="mailto:cschwanitz00@gmail.com">cschwanitz00@gmail.com</a>
<b>APPLICANT'S REPRESENTATIVE</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Matthew Hayden Hayden Planning 10008 West National Blvd., Unit 229 Los Angeles, CA 90034	(310) 614-2964	N/A
<b>APPELLANTS</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Doug Haines P.O. Box 93596 Los Angeles, CA 90093	(310) 281-7625	N/A
<b>APPELLANT'S REPRESENTATIVE</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Robert Silverstein The Silverstein Law Firm 215 N. Marengo Avenue, 3 <sup>rd</sup> Floor Pasadena, CA 91101	(626) 449-4200	N/A
<b>PLANNER CONTACT INFORMATION:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Nuri Cho City Planning Associate	(213) 978-0195	<a href="mailto:nuri.cho@lacity.org">nuri.cho@lacity.org</a>
<b>ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION</b>		
N/A		

**FINAL ENTITLEMENTS NOT ADVANCING:**

N/A

**ITEMS APPEALED:**

TENTATIVE TRACT

**ATTACHMENTS:**

**REVISED:**

**ENVIRONMENTAL CLEARANCE:**

**REVISED:**

- Letter of Determination
- Findings of Fact
- Staff Recommendation Report
- Conditions of Approval
- Ordinance
- Zone Change Map
- GPA Resolution
- Land Use Map
- Exhibit A - Site Plan
- Mailing List
- Land Use
- Other \_\_\_\_\_

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- Categorical Exemption
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Mitigation Monitoring Program
- Other \_\_\_\_\_

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**NOTES / INSTRUCTION(S):**

**FISCAL IMPACT STATEMENT:**

- Yes                       No

\*If determination states administrative costs are recovered through fees, indicate "Yes".

**PLANNING COMMISSION:**

- |  |  |
|--|--|
| <input type="checkbox"/> City Planning Commission (CPC)              | <input type="checkbox"/> North Valley Area Planning Commission |
| <input type="checkbox"/> Cultural Heritage Commission (CHC)          | <input type="checkbox"/> South LA Area Planning Commission     |
| <input checked="" type="checkbox"/> Central Area Planning Commission | <input type="checkbox"/> South Valley Area Planning Commission |
| <input type="checkbox"/> East LA Area Planning Commission            | <input type="checkbox"/> West LA Area Planning Commission      |
| <input type="checkbox"/> Harbor Area Planning Commission             |  |

<b>PLANNING COMMISSION HEARING DATE:</b>	<b>COMMISSION VOTE:</b>
APRIL 24, 2018	5-0
<b>LAST DAY TO APPEAL:</b>	<b>APPEALED:</b>
JUNE 29, 2018	Yes – 6/29/18
<b>TRANSMITTED BY:</b>	<b>TRANSMITTAL DATE:</b>
ROCKY WILES	6/29/18



# CENTRAL LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300

[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

MAILING DATE: JUN 19 2018

**Case No. VTT-73056-SL-1A**

CEQA: ENV-2014-4125-CE

Plan Area: Hollywood

Related Case: DIR-2014-4124-SPP-SPPA-1A

Council District: 13 – O'Farrell

**Project Site:** 4321 and 4323 West Burns Avenue

**Applicant:** Chris Schwanitz, Stradella Court, LLC  
Representative: Matthew Hayden, Hayden Planning

**Appellant:** Anne Hars, Virgil Village Neighborhood Association;

Doug Haines, George Abrahams and Ed Hunt  
Representative: Robert Silverstein, The Silverstein Law Firm

At its meeting of **April 24, 2018**, the Central Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:

Demolition of an existing duplex; subdivision of one (1) 9,602-square-foot lot into six (6) small lots pursuant to the Small Lot Subdivision Ordinance; and the construction, use and maintenance of a three-story, single-family dwelling with an attached two-car garage on each of the six (6) subdivided lots and one uncovered guest parking space within Subarea A (Neighborhood Conservation) of the Vermont / Western Station Neighborhood Area Plan (SNAP) Specific Plan.

1. **Determined** based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to State CEQA Statutes and Guidelines, section 15332, Class 32 (In-Fill Development), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Denied** the appeals and **sustained** the Deputy Advisory Agency's determination to approve a Vesting Tentative Map for the subdivision of 6 Small Lots;
3. **Adopted** the attached Conditions of Approval as modified by the Commission; and
4. **Adopted** the attached Findings of the Deputy Advisory Agency, as amended by the Commission.

The action was taken by the following vote:

Moved: Mendez  
Seconded: DelGado  
Ayes: Barraza, Gold, Chung Kim

**Vote: 5 - 0**



Jason Wong, Commission Executive Assistant  
Central Los Angeles Area Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

**Effective Date/Appeals:** The decision of the Central Los Angeles Area Planning Commission is appealable to the City Council within 10 days of the mailing date of this letter. The filing of an appeal stays proceedings in the matter until the appellate body makes a decision. An appeal not filed within the 10-day period shall not be considered by the City Council and the decision of the Central Los Angeles Area Planning Commission will become final and effective upon the close of the 10-day appeal period.

Appeals shall be filed on forms provided at the Planning Department's Development Service Center located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

**FINAL APPEAL DATE:** JUN 29 2018

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final. The applicant is advised that any work undertaken while the CEQA clearance is on appeal is at his/her/its own risk and if the appeal is granted, it may result in (1) voiding and rescission of the CEQA clearance, the Determination, and any permits issued in reliance on the Determination and (2) the use by the City of any and all remedies to return the subject property to the condition it was in prior to issuance of the Determination.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Modified Conditions of Approval, Amended Findings

c: Mindy Nguyen, City Planner  
Nuri Cho, City Planning Associate

In accordance with provisions of Sections 17.03 and 12.22 C.27 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Vesting Tentative Tract No. 73056-SL, located at 4321 and 4323 West Burns Avenue for a maximum of six (6) lots, pursuant to the Small Lot Subdivision Ordinance No. 176,354, as shown on revised map stamp-dated July 13, 2017 in the Hollywood Community Plan and Subarea A (Neighborhood Conservation) of the Vermont/Western Station Neighborhood Area Plan (SNAP) Specific Plan. This unit density is based on the RD1.5 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property.) The Advisory Agency's approval is subject to the following conditions:

**NOTE** on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

### **CONDITIONS OF APPROVAL**

**As modified by the Area Planning Commission on April 24, 2018**

#### **BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. That if this tract map is approved as "Small Lot Subdivision" then, and if necessary for street address purposes all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
2. That if this tract map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. 176,354" satisfactory to the City Engineer.
3. That if necessary public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Central District Engineering District Office.
4. That the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.

#### **DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

5. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
  - a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
  - b. The Map does not comply with the minimum 15-foot front yard setback for all Lot 1 fronting (facing) along Burns Avenue as required for the RD1.5 Zone. Revise the Map to show compliance with the above requirement or obtain written approval

from the Department of City Planning Advisory (See Condition #13.c Note to City Zoning Engineer and Plan Check).

- c. Provide and maintain a minimum 20-foot common access strip open to the sky for the lots all the way to the public street for access and frontage purpose per Section 12.03 under the definition of "Lot." No projections are allowed into the 20-foot minimum common access strip. Provide the 20-foot wide common access open to the sky or obtain approval from the City Planning Advisory Agency to allow for a reduced 18-foot common access strip all the way to the public street (See Condition #13.c Note to City Zoning Engineer and Plan Check).
- d. Show all street dedications as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be rechecked as per net lot area after street dedication. Front yard requirements shall be required to comply with current code as measured from new property lines after dedications.
- e. Provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress for the small lot subdivision on the final map.

Notes:

The proposed building plans have been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health and safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

The proposed buildings may not comply with City of Los Angeles Building Code requirements concerning exterior wall, protection of openings and exit requirements, with respect to the proposed property line. Compliance shall be to the satisfactory of LADBS at the time of plan check.

Backup space for parking space with less than 26 feet, 8 inches shall provide sufficient garage door opening width to comply with the current Zoning Code requirement.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

**DEPARTMENT OF TRANSPORTATION**

- 6. That the project be subject to any recommendations from the Department of Transportation.

**FIRE DEPARTMENT**

7. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
- a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
  - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
  - c. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
  - d. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
  - e. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
  - f. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
  - g. Submit plot plans indicating access road and turning area for Fire Department approval.
  - h. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units
  - i. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
  - j. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane."
  - k. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
  - l. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
  - m. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit



- application sign-off.
- n. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
  - o. Site plans shall include all overhead utility lines adjacent to the site.
  - p. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department
  - q. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
  - r. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

Note:

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting please call **(213) 482-6509**. You should advise any consultant representing you of this requirement as well.

#### LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)

- 8. That prior to the issuance of any demolition or grading permit or any other permit allowing site preparation and/or construction activities on the site, satisfactory arrangements shall be made with the Los Angeles Unified School District. The project site is located on the pedestrian and bus routes for students attending Lockwood Elementary School. Therefore, the applicant shall make timely contact for coordination to safeguard pedestrians/motorists with the LAUSD Transportation Branch, phone no. 213-580-2950, and the principals or designees of Lockwood Elementary. (This condition may be cleared by a written communication from the LAUSD Transportation Branch attesting to the required coordination and/or the principals of the above referenced schools and to the satisfaction of the Advisory Agency.)

#### DEPARTMENT OF WATER AND POWER

- 9. Satisfactory arrangements shall be made with the Los Angeles Department of Water and

Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1 (c).)

#### **BUREAU OF SANITATION**

10. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structure or potential maintenance problem, as stated in the memo dated December 22, 2016. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1 (d).)

#### **INFORMATION TECHNOLOGY AGENCY**

11. To assure that cable television facilities will be installed in the same manner as other required improvements, please email [cabletv.ita@lacity.org](mailto:cabletv.ita@lacity.org) that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

#### **DEPARTMENT OF RECREATION AND PARKS**

12. That the Quimby fee be based on the RD1.5 Zone.

#### **DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS**

13. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
  - a. Limit the subdivision to a maximum of six (6) lots.
  - b. Provide two (2) parking spaces in each dwelling unit for a total of 12 automobile parking spaces for six (6) dwelling units, and one (1) guest parking space that is accessible by guests of all units. The final tract map shall be revised to show the required number of parking spaces, including guest parking.
  - c. The height of the building shall be limited to 28.87 feet.
  - d. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has reviewed and approved the location(s) of the following item(s) as it applies to this subdivision and the proposed development on the site.
    - i. The project is permitted a reduced 18-foot common access strip open to the sky, all the way to the public street.

- ii. The project shall comply with the setbacks as indicated in the table below:

Lot	Front Yard (Feet)	East Side Yard (Feet)	West Side Yard (Feet)	Rear Yard (Feet)
1	9.67	5	18	0.17
2	0.17	5	18	0.17
3	0.17	5	18	0.17
4	0.17	5	18	0.17
5	0.17	5	18	0.17
6	0.17	5	18	20

- e. That prior to issuance of a certificate of occupancy, a minimum six-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in the required front yard.
- f. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- g. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- h. A Community Maintenance Agreement shall be prepared, composed of all property owners, to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become party to the agreement and shall be subject to a proportionate share of the maintenance. The Community Maintenance Agreement shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded, to the Planning Department for placement in the tract file.
- i. Copies of all recorded Covenant and Agreement(s) for all reciprocal private easements shall be submitted to the Planning Department for placement in the tract file.
- j. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional

claim.

- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph ii.
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph ii.
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held

under alternative dispute resolution procedures), claims, or lawsuits. Action includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

14. That the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6974) that a Certificate of Occupancy (temporary or final) for the building(s) shall not be issued until the final map has been recorded.
15. That prior to the issuance of the building permit or the recordation of the final map, a copy of the DIR-2014-4124-SPP-SPPA shall be submitted to the satisfaction of the Advisory Agency. In the event that DIR-2014-4124-SPP-SPPA is not approved, the subdivider shall submit a tract modification.
16. Prior to the issuance of a building permit, grading permit and the recordation of the final tract map, he subdivider shall record and execute a Covenant and Agreement to comply with the **Vermont/Western Station Neighborhood Area Plan (SNAP) Specific Plan and Case No. DIR-2014-4124-SPP-SPPA**.

#### **Tenant Relocation Conditions**

17. Within 10 days after the expiration of the appeal period (and final action thereon), the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with Section 47.07 of the Los Angeles Municipal Code relating to demolition. The applicant shall provide a copy of the Covenant and Agreement to each eligible tenant within five (5) days of recordation of the Covenant and Agreement.
18. Within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to the affirmative duty to abide by all provisions of the Ellis Act (Government Code §§ 7060, et seq.) and §§ 151.22 – 151.28 of the Los Angeles Municipal Code.

#### **DEPARTMENT OF CITY PLANNING - STANDARD SINGLE-FAMILY CONDITIONS**

- SF-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this tract approval, the following conditions shall apply:
  1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Development Services Center of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
  2. All other conditions applying to Model Dwellings under Section 12.22 A.10 and 11

and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

- SF-2. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

#### **BUREAU OF ENGINEERING - STANDARD CONDITIONS**

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Los Angeles Municipal Code (LAMC).
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.
- (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
- (i) That one-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.

- (j) That any one-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
  - (k) That no public street grade exceeds 15%.
  - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 2010.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
  - (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
  - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
  - (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
  - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
  - (b) Construct any necessary drainage facilities.
  - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
    - i. No street lighting improvements if no street widening per S-3 (i) on Burns Avenue. Otherwise, remove and reinstall existing conduit behind new curb and gutter on Burns Avenue.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (c)i, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (i) That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
  - a. Remove and reconstruct the entire sidewalk adjoining the tract including the landscaping area with construction of a five-foot concrete sidewalk and landscaping of the parkway all satisfactory to the Central District B-Permit Section.
  - b. Construct the necessary on-site mainline sewers satisfactory to the City Engineer.

#### NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units. This vesting map does not constitute approval of any variations from the Municipal Code, unless approved specifically for this project under separate conditions.

Any removal of the existing street trees shall require Board of Public Works approval.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05-N of the Los Angeles Municipal Code (LAMC).

The final map must be recorded within 36 months of this approval, unless a time extension is granted before the end of such period.



The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features, which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

## FINDINGS

As amended by the Area Planning Commission on April 24, 2018

### FINDINGS OF FACT (CEQA)

The Deputy Advisory determined, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to State CEQA Statutes and Guidelines, Section 15332 (Class 32) and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Class 32 consists of projects characterized as in-fill development meeting the following criteria:

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations;
- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- c. The project site has no value as habitat for endangered, rare or threatened species;
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- e. The site can be adequately served by all required utilities and public services.

The applicant is requesting a Vesting Tentative Tract Map for the subdivision of one (1) parcel into six (6) small lots to construct a three-story, 28.87-foot tall single-family dwelling with an attached two-car garage on each lot. The subject site is relatively level, 9,602 square feet, or 0.22 acres, in size and wholly within the City of Los Angeles. The site is zoned RD1.5-1XL and has a General Plan Land Use Designation of Low Medium II Residential. The site is also located within Subarea A (Neighborhood Conservation) of the Vermont/Western Station Neighborhood Area Plan (SNAP). As shown in the case file, the project is consistent with applicable Hollywood Community Plan designation and policies, all applicable zoning designations and regulations, and Specific Plan provisions. The RD1.5 Zone allows 1,500 square feet of lot area per each dwelling unit, which permits a maximum of six (6) units on the site.

The project site is located in an urbanized area, and all of the surrounding properties are developed with single- and multi-family residential developments, offices, commercial and retail stores, surface parking lots, light industrial buildings, and an elementary school. The site is currently improved with a duplex and has no value as a habitat for endangered, rare or threatened species. There are five (5) non-protected trees on the site, which will be removed as part of the proposed project.

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will ensure the project will not have significant impacts on noise and water. The project is beneath the threshold criteria established by LADOT for preparing a traffic study. Therefore, the project will

not have any significant impacts to traffic. The project will not result in significant impacts related to air quality because it falls below interim air threshold that were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. The project site will be adequately served by all public utilities and services given that the construction of the proposed project will be on a site which has been previously developed and is consistent with the general plan. Therefore, based on the facts herein, it can be found that the project meets the qualifications of the Class 32 Categorical Exemption.

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 15303 and 15332: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

There is not a succession of known projects of the same type and in the same place as the subject project. As mentioned, the project proposes six (6) residential units in an area zoned and designated for such development. The proposed project is not unusual for the vicinity of the subject site, and is similar in scope to other existing low- and medium-density residential developments in the area. Thus, there are no unusual circumstances which may lead to a significant effect on the environment. The only state designated scenic highway in the City of Los Angeles is a portion of State Route 27 (Topanga Canyon Boulevard), which is located in the Canoga Park, West Hills, Winnetka, and Woodland Hills area, and therefore the subject site is not designated as a state scenic highway, nor are there any designated state scenic highways located near the project site. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site.

The applicant submitted a Historic Resource Report, prepared by Kaplan Chen Kaplan and dated September 11, 2017, which has been reviewed by the Department of City Planning, Office of Historic Resources. The Report verified that the existing building does not meet the criteria for listing in the National Register of Historic Places, the California Register of Historical Resources or as a City of Los Angeles Historic-Cultural Monument or as a contributing building to any potential historic district. The subject building is not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

## **FINDINGS OF FACT (SUBDIVISION MAP ACT)**

In connection with the approval of Vesting Tentative Tract No. 73056-SL, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Hollywood Community Plan designates the subject property for Low Medium II Residential land uses with the corresponding zones of RD1.5 and R2. The Framework Element encourages stability and enhancement of multi-family residential neighborhoods

that are characterized by a mix of densities and dwelling types. The Framework Element also allows for growth in areas where there is sufficient public infrastructure and services. The subject property is zoned RD1.5-1XL and is approximately 9,602 square feet in size. The applicant proposes a six-unit small lot subdivision on the site that is permitted a maximum density of six (6) dwelling units in an area that is characterized by mix of low- and medium-density residential uses. The project site is bound by Burns Avenue to the south, which is designated as a Local Street by the Mobility Plan 2035, with a right-of-way width of 60 feet, and roadway width of 36 feet. BOE is not requiring any street dedication.

The subject property is also subject to Subarea A (Neighborhood Conservation) provisions in the Vermont/Western Station Neighborhood Area Plan (SNAP). The applicant filed a concurrent case (DIR-2014-4124-SPP-SPPA) for the demolition of an existing duplex and the construction of a six-unit residential development.

The approval of the Vesting Tentative Tract Map is subject to the approval of the concurrent DIR Case, and the applicant is required per Conditions of Approval to submit a copy of the Letter of Determination for the DIR Case prior to the issuance of the building permit or the recordation of the final map. In the event that the DIR case is not approved, the applicant is required to submit a tract modification. As such, the proposed six-unit small lot subdivision is substantially consistent with the applicable General Plan and the SNAP Specific Plan, subject to the approval of the Project Permit Compliance.

(b) THE DESIGN OR IMPROVEMENT OF THE PROPOSED SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

Pursuant to Section 66418 of the Subdivision Map Act, "design" of a map refers to street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; traffic access; grading; land to be dedicated for park and recreational purposes; and other such specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan.

The subject property will be served by an existing sanitary sewer adjoining the parcel. The applicant is required to construct necessary mainline and house connection sewers to serve the tract. The Bureau of Sanitation, Wastewater Collection System Division found no potential problems to their sewer and storm drain lines serving the subject area. Additionally, no street lighting improvements if no street widening is required per BOE improvement conditions. Otherwise, the applicant is required to remove and reinstall existing conduit behind new curb and gutter on Burns Avenue.

The Bureau of Engineering (BOE) has reviewed the proposed Vesting Tentative Tract Map and is requiring the applicant to remove and reconstruct the entire sidewalk adjoining the tract including the landscaping area with a five-foot concrete sidewalk and landscaping of the parkway, and construct the necessary on-site mainline sewers. The applicant is required to submit a plot plan, showing applicable fire lanes, fire hydrant, and distance from the edge of the roadway or approved fire lane to dwelling unit entrances, to the Los Angeles Fire Department for approval.

All of the recommended improvements have been included as Conditions of Approval. Additionally, the project is required to provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress in the final map and provide necessary public access to the on-site easements. Furthermore, the Los Angeles Department of Water and Power commented that this tract can be supplied with water from the municipal system and all required water mains have been installed. Therefore, as conditioned, the design and improvement of the proposed subdivision are consistent with the intent and purpose of the applicable General Plan.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT.

The project site currently consists of one parcel with a lot area of 9,602 square feet. The site is zoned RD1.5-1XL within the Hollywood Community Plan, which designates the site for Low Medium II Residential land uses. The project site is not located in any hazardous or geologically sensitive areas, including Hillside Area, Very High Fire Hazard Severity Zone, Flood Zone, Hazardous Waste/Border Zone, Methane Hazard Site, Alquist-Priolo Fault Zone, Landslide Area, Liquefaction Area, Preliminary Fault Rupture Study Area, and Tsunami Inundation Zone. Additionally, although the project site is located within the BOE Special Grading Area, LADBS Grading Division reviewed the proposed project and determined that geology/soils reports are not required and the project does not require any grading or construction of an engineered retaining structure to remove potential geologic hazards. The surrounding properties are developed with a mix of low- and low-medium residential uses. The proposed development of six (6) small lot homes is an allowed use on the site that is consistent with the general character in the neighborhood. As such, the project site is physically suitable for the proposed type of development.

(d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

The project site is zoned RD1.5-1XL and designated for Low Medium II Residential land uses, corresponding to the RD1.5 and RD2 Zones per the Hollywood Community Plan Land Use Map. The RD1.5 Zone allows 1,500 square feet of lot area per each dwelling unit, permitting a maximum of six (6) units on the 9,602-square-foot site. The applicant proposes a six-unit small lot subdivision, which is within the maximum allowable density. As previously mentioned, the project site is not located in any hazardous or geologically sensitive areas, including Hillside Area, Very High Fire Hazard Severity Zone, Flood Zone, Hazardous Waste/Border Zone, Methane Hazard Site, Alquist-Priolo Fault Zone, Landslide Area, Liquefaction Area, Preliminary Fault Rupture Study Area, and Tsunami Inundation Zone. Additionally, although the project site is located within the BOE Special Grading Area, LADBS Grading Division reviewed the proposed project and determined that geology/soils reports are not required and the project does not require any grading or construction of an engineered retaining structure to remove potential geologic hazards. As such, the project site is physically suitable for the proposed density.

(e) THE DESIGN OF THE SUBDIVISION OR THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The Deputy Advisory determined, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to State CEQA Statutes and Guidelines, Section 15332 (Class 32) and there is no substantial evidence demonstrating that an

exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies (see above CEQA Findings). The Project Site is currently not a habitat for fish or wildlife.

- (f) THE DESIGN OF THE SUBDIVISION OR TYPE OF IMPROVEMENTS IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

The proposed subdivision and subsequent improvements are subject to the provisions of the Los Angeles Municipal Code (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) and the Building Code. Other health and safety related requirements, as mandated by law, would apply where applicable to ensure the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management). The project site is not located on a hazardous materials site, floor hazard

There are no apparent health problems that might be caused by the design or construction of the proposed condominium units. The Bureau of Engineering has reported that existing sanitary sewer is available under Burns Avenue adjoining the subdivision. This development is required to be connected to the City's sewer system where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet State-wide ocean discharge standards.

- (g) THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS, ACQUIRED BY THE PUBLIC AT LARGE, FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

The project site is a legally recorded lot that is surrounded by private properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, park or any officially recognized public area that requires access through or within the proposed subdivision, and no such easements are known to exist. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed map. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the City prior to recordation of the proposed map.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION SHALL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The lot layout of the subdivision has taken into consideration the maximizing of the

north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Tract No. 73056-SL.